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## Bud Selig's bad faith

Richard C. Crepeau

University of Central Florida, [richard.crepeau@ucf.edu](mailto:richard.crepeau@ucf.edu)

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SPORT AND SOCIETY FOR H-ARETE  
Bud Selig's bad faith  
JUNE 12, 2005

I would like to reflect a bit on the disingenuousness of one Allen H. "Bud" Selig, Commissioner of Baseball and Supreme Potentate of Dissemblers. Having accrued most of the power in baseball unto himself over the past several years, "Bud" has shown, at times, some insight and leadership only ultimately to disappoint.

Such was the case when he led the owners out of the wilderness of union busting and into the land of collective bargaining. The avoidance of a strike or lockout in 2002 was a sign of considerable progress, maturity, and key leadership on behalf of all involved. There were those who hoped that it might even mean the beginning of a new era of collective bargaining and cooperation in baseball.

All has changed over this past year as steroid fever has captured center stage becoming a major public relations and political fiasco. BALCO, Congressional Committees looking for TV face time, a failed IOC presidential candidate, and books by discredited sources that are regarded as truth have conspired to require strong leadership for baseball in the face of media driven hysteria. Strong leadership has not materialized from the commissioner, while the reformed sinner who names names is still the biggest draw and one whose credibility somehow is not questioned.

In the age of the Patriot Act, few are willing to defend the basic rights guaranteed in the U.S. Constitution even if it has nothing to do with terrorism. Search and seizure can be no more immediate and intimate than when it invades the human body looking for evidence without cause. This is what random drug testing for all really is. As to the government demanding drug test results taken with a guarantee of confidentiality, see BALCO fallout, this too trampled the rights of all involved.

Allen H. Selig's course of action throughout these last few months has been most instructive. In January of this year at the baseball owners' meeting, a new drug policy, agreed to by owners and players, was announced. It included random off-season testing and a 10-game suspension for first offenders with escalating penalties for subsequent violations. Commissioner

Selig announced that this new agreement was "consistent with my stated goal of zero tolerance."

"I regarded this as not only a health issue, but certainly you could say it was an integrity issue in this sport. We're acting today to help restore the confidence of our fans." Selig then thanked President Bush for bringing the issue to public attention, and the Players Association for its willingness to open discussions before the current bargaining agreement expired.

The Comish, anticipating Mark McGwire, urged people to look forward rather than to the past. In his view the new policy would fully address the drug problem in baseball. When, in early April, Alex Sanchez of the Tampa Bay Devil Rays was suspended for ten games following a positive test, Selig declared that the new drug policy was working just fine.

"Bud" did use the occasion to say that he felt that amphetamines needed to be included in the testing program. He expressed the hope that new discussions could be opened before the end of the current collective bargaining contract in 2008.

Then, before the month was out, Selig headed for cover while short-sheeting the Players Association with a Landis-like move. In a letter to the MLPBA, Selig announced a new drug policy under the gimmicky slogan, "Three Strikes and You're Out." Who could argue with such impeccable baseball based logic?

First offenders would get a 50 game suspension, second offenders a one-year suspension, and third offenders would be banned permanently. Apparently, Allen H. Selig felt the spirit move while sitting in front of rabid members of congress who were working overtime to serve the public interest. The sources of inspiration are legion.

In his letter to the Players Association, Selig said he wanted amphetamines included in the drug policy, and that he wanted an independent testing administrator. Was the much touted drug policy proclaimed a success less than a month earlier no longer working? Had "Bud" misled the nation on the promised effectiveness of that new policy? Or was this simply a case of the always popular "new and improved" replacing the truly wonderful policy of earlier in the month?

Or was it much simpler than that?

Was the Commissioner now running for cover in the face of the political steamroller? Was "Bud" now ready to dump all the blame on the players? Did Selig and the owners see this as yet another opportunity to hammer the Players Association and short-circuit the collective bargaining progress?

I suspect it was in fact all of these. Fearful of the politicians, without the backbone to stand up before the heat of the hysteria, and seeing this wonderful opportunity to squeeze Donald Fehr and the Players Association, Selig unilaterally acted without warning. "Bud" had quick-pitched the players.

The Comish no doubt thinks himself quite a clever fellow in making this move. In the end he may well win the public relations battle. In the process he may have done severe damage to the management/player relationship that had been moving forward since the 2002 agreement, not to mention the rights of those in baseball.

Selig's lack of good faith will certainly not be forgotten when the next contract is up for negotiation as he has shown himself much more the opportunist than the statesman. Is anyone surprised?

On Sport and Society this is Dick Crepeau reminding you that you don't have to be a good sport to be a bad loser.

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